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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/993,258 | 11/13/2001 | Jeffrey D. Stroomer | X-930 US | 7768 |

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| EXAMINER | |
|---|---|
| BAHTA, KIDEST | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2125 | |

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/993,258 | STROOMER, JEFFREY D. | |
| | Examiner | Art Unit | |
| | Kidest Bahta | 2125 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *10 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-7,9-28,30,33-35 and 37-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-28,30,33-35 and 37-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Bailey (US 6,701,513).

Regarding claims 1, 10, 17, and 33, Bailey discloses a code display window for displaying the computer program code (Fig. 8A, Fig. 8B, Fig. 15), the code display window having an editor for editing the computer program code (column 20, line 47-column 21, line 8); an associated data file comprising a plurality of implementation instructions linked to a plurality of element of the computer program code (Fig. 3; column 7, lines 24-39; column 9, line 55 - column 10, line 12); wherein the implementation instructions include program code comments ( Fig. 8B, element 808a-b, i.e., Statements 808a-b are simply *comment statements* that describe the functionality to be carried out by the subsequent statements.), a first directive that directs implementation for a variable in the program code in a register ( Fig. 14 A; i.e., Flow diagram 1402 further includes a text box symbol 1428 having a data output terminal 1430, and *a variable symbol* 1432 having data input, control input, data output, error output and control output terminals 1434a-e), and a second directive that directs

implementation of a call to a function as in-line code ( column 8, lines 27-35; i.e., each program object typically performs *some useful function*, such as a Boolean operation (e.g., AND, OR, etc.), a mathematical operation, a data acquisition operation (typically from some transducer coupled to the I/O circuitry 218 of the computer 200), renders some comparison (e.g., less than, greater than, equal to, etc.), and so on.), and at least one of the elements of program code is linked to comments (Fig. 8B, element 808a-b), at least one of the elements of program code is linked to the first directive (Fig. 14); and at least one of the elements is linked to the second directive (Fig. 13, element 414b), and an implementation instruction window for displaying an implementation instruction in the data file responsive to a query of one of the plurality a linked elements of the computer program (column 24, lines 54-65; FIG. 3; i.e., is a highly schematic illustration of the software components of the computer system 200 of FIG. 2. These components include an operating system 302 having an application programming interface (API) layer 304 through which other application programs executing on computer system 200 may interact with the operating system 302. In particular, operating system 302 exchanges task commands to control the operations of the computer system 200 as well as notifications regarding various activity (e.g., windows events) with these other applications. The operating system 302 further includes system facilities, such as a window manager 306 which, inter alia, can directly implements those task commands and windows events).

Regarding claims 2, 11, 23, 28 and 34, Bailey discloses the step of displaying program code in the code display window further comprises displaying the program

code in a text editor viewable within the code display window (Fig. 8).

Regarding claims 3, 18 and 24, Bailey discloses responsive to the query of one of the at least one linked element, inputting an implementation instruction (Fig. 4A, i.e., command box; column 10, lines 5-8); for the queried element in the implementation display window (column 13, lines 65-column 14, line 10; i.e., by simply graphically linking the symbolic representations of the program objects in the designer window 406 with one or more novel wire constructs and In response to graphically connecting or linking two symbols in the designer window 406, the program-development environment 310 creates event handler program code that sets the label object's Caption property to the value of the vertical scroll bar object's Value property).

Regarding claims 4 and 25 and 35, Bailey discloses reading a stored implementation instruction linked to an element in the computer program code in response to a user selection of the element from the first portion of the display (Fig. 4A-D and Fig. 8A-B).

Regarding claims 5-6, 15-16, 19-21, 26-27, Bailey the step of displaying the implementation instruction in the implementation display window of the user interface without obscuring the program code (column 6, lines 40-65; Fig. 3); the implementation development window does not obscure the code display window when concurrently viewed (Fig. 8A-B).

Regarding claims 7 and 12, Bailey discloses the linker for linking the at least one program code element to the at least one implementation instruction in the data file (column 13, lines 1-column 14, line 10; i.e., by simply graphically linking the symbolic

representations of the program objects in the designer window 406 with one or more novel wire constructs and In response to graphically connecting or linking two symbols in the designer window 406, the program-development environment 310 creates event handler program code that sets the label object's Caption property to the value of the vertical scroll bar object's Value property).

Regarding claims 9, 13, 30 and 37, Bailey discloses the plurality of elements include functions (Fig. 13), variables (1432), and expressions (808a-b).

Regarding claim 14, Bailey discloses the implementation development window is a pop-up window accessible by selecting at least one of the at least one element of the computer program code from the code display window (FIG. 14B, i.e., when the developer executes a "right mouse click" on a selected symbol, such as For Loop symbol 1408, the program-development environment 310 causes a command pop-up menu 1466 to appear on GUI 1400. Command window 1466 displays a series of commands that may be performed on the selected object symbol, e.g., For Loop 1408. One of these commands is a Properties command 1468).

Regarding claims 38-41, Bailey discloses a third directive that directs an un-scrolled (un-scrolled can be pop-up) implementation of a loop in the program code, and at least one of the elements of program code is linked to the third directive (FIG. 14B, i.e., when the developer executes a "right mouse click" on a selected symbol, such as For Loop symbol 1408, the program-development environment 310 causes a command pop-up menu 1466 to appear on GUI 1400. Command window 1466 displays a series of

commands that may be performed on the selected object symbol, e.g., For Loop 1408. One of these commands is a Properties command 1468).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed Kidest Bahta whose telephone number is 571-272-3737. The examiner can normally be reached on Monday - Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAG system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-fee).

Kidest Bahta

Primary Examiner

AU 2125